

California Department of Insurance

Fraud Division

May 2010 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

May 2010 Workers' Compensation Fraud Convictions

CDI Case Number: 08DW006922

County: Orange

Defendant: Samir I. Ahmad

City/County of Residence: Orange/Orange

Conviction Date: 05/28/10

Offense: 9 Counts of IC 11880(a) (Premium Fraud); 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$559,903

Sentence: 180 Days County Jail, 5 Years Formal Probation, TBD Restitution, \$200 Civil Fine \$25,000 Criminal Fine

CDI Case Number: 05BW023181

County: Contra Costa

Defendant: Donald Herman Engberson

City/County of Residence: Grass Valley/Nevada

Conviction Date: 05/14/10

Offense: 1 Count of IC 1871.4(a) (False Claim) (Misdemeanor)

Amount Allegedly Defrauded: \$150,000

Sentence: 40 Hours Community Service, 2 Years Court Probation, \$100 Civil Fine, \$1,125 Criminal Fine

CDI Case Name: Saturn TV Shop

CDI Case Number: 09HW023251

County: San Bernardino

Defendant: Maria De Los Angel Gambino

City/County of Residence: San Bernardinol/San Bernardino

Conviction Date: 05/18/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Conditional Probation, \$110 Civil Fine, \$10,000 Criminal Fine (\$9,500 Suspended), Defendant has paid remaining \$500 to San Bernardino DA

CDI Case Number: 09BW018994

County: Alameda

Defendant: Shainaz Jalil

City/County of Residence: Oakland/Alameda

Conviction Date: 05/27/10

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$6,887.28

Sentence: 3 Days County Jail, 5 Years Formal Probation, \$6,887.28 Restitution, \$500 Criminal Fine

CDI Case Number: 05EW016133
County: San Diego
Defendant: Maria A. Leal
City/County of Residence: Escondido/San Diego
Conviction Date: 05/26/10
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: TBD
Sentence: 28 Days County Jail, 3 Years Summary Probation, TBD Restitution, \$200 Civil Fine

CDI Case Number: 09GW006994
County: Santa Clara
Defendant: Antonio Gonzalez Leon
City/County of Residence: San Jose/Santa Clara
Conviction Date: 05/10/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 180 Days County Jail Suspended on condition of completing Residential Treatment Program, 3 Years Formal Probation, \$220 Civil Fine Deemed Satisfied

CDI Case Number: 06BW008437
County: Alameda
Defendant: John Robert Owen
City/County of Residence: Dublin/Alameda
Conviction Date: 05/14/10
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$78,362
Sentence: 4 Days County Jail, 5 Years Formal Probation, Restitution is Reserved and To Be Determined by the Court, (\$65,000 has been paid), \$200 Civil Fine

CDI Case Number: 08EW021376
County: San Diego
Defendant: David W. Paiva
City/County of Residence: Oceanside/San Diego
Conviction Date: 05/20/10
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$4,337
Sentence: 180 Days County Jail, 3 Years Summary Probation, \$4,337 Restitution (\$1,000 Restitution has been previously paid), \$200 Civil Fine, \$800 Criminal Fine

CDI Case Number: 07FW000337
County: Kern
Defendant: Timmy Pettit
City/County of Residence: Tehachapi/Kern
Conviction Date: 05/20/10
Offense: 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of a Claim)
Amount Allegedly Defrauded: \$100,156
Sentence: 1 Year County Jail, 5 Years Formal Probation, \$118,219.28 Restitution, \$200 Civil Fine

CDI Case Name: Devek Performance
CDI Case Number: 08BW005697
County: Alameda
Defendant: Susan Kirby Thomas
City/County of Residence: Redwood City/San Mateo
Conviction Date: 05/17/10
Offense: 1 Count of IC 1871.4(a)(4) (Workers' Compensation Insurance Fraud) (Misdemeanor)
Amount Allegedly Defrauded: \$84,164
Sentence: 1 Day County Jail, 36 Months Court Probation, \$84,164 Restitution, \$100 Civil Fine, \$5,100 Criminal Fine

CDI Case Number: 08EW017019
County: San Diego
Defendant: Walter F. Vereda
City/County of Residence: San Diego/San Diego
Conviction Date: 05/20/10
Offense: 1 Count of PC 550(b)(3) (Failure to Disclose)
Amount Allegedly Defrauded: \$17,323
Sentence: 1 Day County Jail, 3 Years Summary Probation, \$400 Criminal Fine